2020 Data Products

Discussant Presentation

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Disclosure Avoidance Modernization

- **The U.S. Census Bureau should be commended for attempting to modernize its disclosure avoidance system through 'differential privacy' as part of its mandate to collect data.**

  - ✓ By way of background, the Bureau used 'data swapping' as its primary method for complying with the '72-Year Rule' in 2010.

    - ▪ This involved swapping existing characteristic data (*e.g.*, race/ethnicity) between residents at the block level.

    - ▪ However, the Bureau was concerned that advances in technology necessitated modernizing the method for the next decennial census.

  - ✓ For 2020, the Bureau adopted 'differential privacy' as its primary method of disclosure avoidance.

    - ▪ This involves adding new characteristic data—or 'statistical noise'—through a mathematical formula at the block level.

    - ▪ Questions remain about whether the resulting data will be fit legal uses.

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Disclosure Avoidance Modernization: Discussant Questions

- **The Bureau reported making 'substantial progress' on the 'development' of differential privacy to support 2020 data products.**

    ✓ Is it normal to be developing the primary disclosure avoidance method at this late stage of the decennial census operations?

- **Preliminary reports from civil rights organizations (see MALDEF, April 2021) have found disparate impacts of applying differential privacy to small communities or counties.**

    ✓ What is the impact of differential privacy on small communities or counties?

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Redistricting File and Discussant Questions

- **Data produced from the 2020 U.S. Census must be meet legal standards for redistricting. This requires equal population between districts and Voting Rights Act compliance**

  Applying differential privacy to the Redistricting File could make proposed electoral districts appear properly populated when in fact they are malapportioned and therefore unlawful.

  - ✓ How does differential privacy affect statewide and local total plan deviations?

  - ✓ Would deviation changes be so high as to become malapportioned?

  - ✓ How will differential privacy impact the ability to draw districts that afford minority voters an equal opportunity to elect their candidates of choice?

Demographic Profile and Discussant Questions

- **The United States owes a special trust responsibility to recognized Indian tribes and individual Indian beneficiaries that commands the highest moral and legal obligations.**

  The responsibility is rooted in early federal-tribal treaties and the U.S. Constitution, and has been reaffirmed through federal statutes and opinions of the U.S. Supreme Court.

  Today, the special trust responsibly is often fulfilled by the federal agencies through tribal formula appropriations.

  - ✓ If differential privacy negatively impacts appropriations to a federally recognized Indian tribe, can the tribe lodge a challenge?
  - ✓ If challenges are allowed, does the tribe have to pay for the resampling?

Demographic & Housing Characteristics File and Discussant Questions

- **Data produced from the 2020 U.S. Census will also help determine federal housing policies and appropriations for the next 10 years. This is especially important for low income and underserved communities.**

  Applying differential privacy to the Demographic & Housing Characteristics File could make housing needs appear better or worse than they in fact are.

  ✓ How will differential privacy affect this data product?

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